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Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Please rewrite claims 1-3, 5, 8 and 12 as follows:

1. (Currently Amended) A semiconductor element, comprising:
- | a substrate;
- | an underlayer, on the substrate, ~~made of~~comprising a first semiconductor nitride
- | including at least Al ~~element~~, the crystallinity of the underlayer being set to have a
- | ~~90 seconds or below in full width at half maximum of X-ray rocking curve~~ value of 90
- | seconds or below;
- | a buffer layer, on the underlayer, ~~made of~~comprising a second semiconductor nitride;
- | and
- | a semiconductor layer group, on the buffer layer, ~~made of~~comprising a third semi-
- | conductor nitride including at least Ga ~~element~~, wherein
- | the Al content of the third semiconductor nitride being is set smaller than that of the
- | first semiconductor nitride.
- object
2. (Currently Amended) A semiconductor element as defined in claim 1, wherein the Ga
- | content of the second semiconductor nitride is set to be not more than that of the third
- | semiconductor nitride.

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3. (Currently Amended) A semiconductor element as defined in claim 1, wherein the Al content of the first semiconductor nitride is set at least 50 atomic percentages ~~or over for~~ of all of the III elements present in the first semiconductor nitride.

4. (Original) A semiconductor element as defined in claim 3, wherein the first semiconductor nitride is AlN.

5. (Currently Amended) A semiconductor element as defined in claim 1, wherein the underlayer is formed at a temperature of at least 1100°C ~~or over by~~ a MOCVD method.

6. (Original) A semiconductor element as defined in claim 5, wherein the underlayer is formed within 1100-1250°C.

7. (Original) A semiconductor element as defined in claim 1, wherein the thickness of the underlayer is set within 0.5-1000 μm .

8. (Currently Amended) A semiconductor element as defined in claim 1, wherein the substrate is made of sapphire single crystal, and the underlayer is formed on the main surface of the substrate via ~~the~~ surface nitride layer formed at the main surface.

9. (Original) A semiconductor element as defined in claim 1, wherein the thickness of the buffer layer is set within 0.002-0.5 μm .

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10. (Original) A semiconductor element as defined in claim 1, wherein the Al content of the first semiconductor nitride is decreased continuously or stepwisely from the substrate toward the buffer layer.

11. (Original) A semiconductor element as defined in claim 1, wherein the semiconductor layer group includes a GaN semiconductor layer.

12. (Currently Amended) A semiconductor element as defined in claim 1, wherein the full width at half maximum in X-ray rocking curve value of the semiconductor layer group is set to 150 seconds or below.

13. (Previously Amended) A photonic device comprising a semiconductor element as defined in claim 1.
